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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,332	09/18/2000	Noriya Hayashi	001195	4422
23850	7590	10/06/2006	EXAMINER	
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006			SELLERS, ROBERT E	
			ART UNIT	PAPER NUMBER
			1712	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/664 332

EXAMINER
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ART UNIT	PAPER
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20060927

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**Commissioner for Patents**

This paper is in response to the Petition to Withdraw the Examiner's Answer to Reply Brief, filed April 25, 2006, under 37 CFR 1.181.

After review of the said Petition and all the evidence of record, it is found that applicants' argument is persuasive. Review of the Reply Brief shows that no NEW arguments were submitted at that time. Hence, it was improper of the examiner to send out the stated Examiner's Answer to Reply Brief, since no new argument/issue was raised.

The petition is GRANTED.

The electronic file will be updated to indicate that the Examiner's Answer to the Reply Brief, dated March 3, 2006, should not be considered by the Board of Patent Appeals and Interferences when making their decision on this case.

Randy Gulakowski  
SPE  
Art Unit: 1712